



U.S. Department of Justice

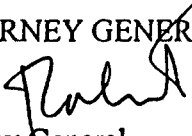
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

March 27, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Robert Raben 
Assistant Attorney General

SUBJECT: Weekly Report for March 27, 2000 - March 31, 2000 -

KEY ISSUES

D.C. Voting Case: On March 30, you will be meeting with Congresswoman Eleanor Holmes Norton, Mayor Anthony Williams and D.C. City Council Chair Linda Cropp to hear concerns about the D.C. voting case. (Scott-Finan)

Elian Gonzalez: The Department has received two letters from the Hill asking the Department to postpone removal of Elian until the federal and state appeals processes are complete. (First)

New York: On March 27, Congressman Eliot Engel is holding a listening session in New York ~~to hear citizen concerns following the decision in the state's Diallo Case.~~ Community Relations Service Director Rose Ochi and Associate Deputy Attorney General Anthony Murry will attend on behalf of the Department. (Scott-Finan)

Rhode Island: On March 24, Civil Rights Acting Assistant Attorney General Bill Lee and staff from the Office of Legislative Affairs met with Congressman Patrick Kennedy to discuss civil rights and police issues in Rhode Island. The Congressman is holding a public forum on March 27. (Scott-Finan)

Government Reform Committee Subpoena: On March 22, the House Government Affairs Committee issued an extensive subpoena to the Department covering campaign finance and other issues. The response date is March 29 at 5:00 p.m. (Tanner)

THE WEEK AHEAD

Nominations: Donnie Marshall, Acting Administrator of the Drug Enforcement Administration, has courtesy visits with Senators Hatch and Grassley this week, and Acting Associate Attorney General Dan Marcus has a courtesy visit with Senator Grassley. These meetings are in preparation for confirmation hearings.

On March 23, the Senate Judiciary Committee held a hearing on the following nominees: Richard Tallman, to be a United States Circuit Judge for the Ninth Circuit; John Antoon, to be a United States District Judge for the Middle District of Florida; and Marianne Battani and David Lawson, both to be United States District Judges for the Eastern District of Michigan. (Scott-Finan)

Hearing on Children and the Internet: On March 28, the Subcommittee on Children and Families (Gregg, Chair) of the Senate Health, Education, Labor and Pensions Committee will hold a hearing on keeping children and families safe from Internet predators. FBI's Kenneth Neu of the Violent Crimes Major Offenders Section and William Hagmaier of the Child Abduction Serial Murder Investigative Resources Center, will testify before the Subcommittee. (Owen)

Hearing on Cybercrime: On March 28, the Subcommittee on Technology, Terrorism and Government Information (Kyl, Chairman) of the Senate Judiciary Committee will hold a hearing on ways to improve cyber attack investigations. FBI Director Louis J. Freeh is scheduled to testify before the Subcommittee. (Daley)

Chinese Espionage Hearing: On March 29, the Subcommittee on Administrative Oversight and the Courts (Grassley, Chair) of the Senate Judiciary Committee will hold a hearing on the Peter Lee case as it relates to the espionage matter. Criminal Division Attorney Michael Liebman will testify before the Subcommittee. (Iscoe)

Pain Relief Promotion Act: On March 30, the Senate Judiciary Committee (Hatch, Chair) will mark up H.R. 2260, the Pain Relief Promotion Act, which clarifies that controlled substances may be used to relieve pain in the course of providing palliative care to terminally ill persons. The bill also, however, provides inappropriate federal criminal sanctions for physician-assisted suicide. We have commented on the bill questioning the need for the proposed harsh criminal penalties. (Tanner)

Internet Gambling: The Internet Gambling Prohibition Act, H.R. 3125, slated for markup last week, remains on the list of House Judiciary bills to be marked up in full Committee on March 30. However, it is expected that this bill, and others, may be postponed until a later date due to lengthy debate on other measures. (Daley)

Racial Profiling: On March 30, the Constitution, Federalism and Property Rights Subcommittee (Ashcroft, Chair) of the Senate Judiciary Committee will hold a hearing on the practice of racial profiling by police departments. Victims and law enforcement representatives are being invited to testify at this hearing. (Scott-Finan)

Immigration: On March 30, the House Judiciary Committee will consider two immigration bills. The first, H.R. 371, is a bill that waives the English language naturalization requirement for Hmongs who served in special U.S. guerilla units during the Vietnam War.

The second bill, H.R. 3767, permanently authorizes the Visa Waiver Pilot Program, which is a program that allows nationals of certain countries to travel to the United States without obtaining a visa. The Department supports the extension of the program, but has concerns with the bill's language. We will send a views letter detailing our concerns. (First)

Abortion: H.R. 3660. The Partial Birth Abortion bill, is again on the House Judiciary Committee's calendar for this week. It is unclear if the Committee will have time to consider the bill this week. Markup of this bill has been postponed for several weeks in a row. (First)

Bureau of Prisons Oversight: The Criminal Justice Oversight Subcommittee (Thurmond, Chair) of the Senate Judiciary Committee plans to hold an oversight hearing on the Bureau of Prisons on April 6. The Committee will consider issues related to the GAO report on prison health care issues and the Department's Inspector General's Report on the Bureau's phone system. (Add. Person)

Asbestos: It is not clear when the House will bring its version of the asbestos compensation bill to the floor; and, it is uncertain at this time when or if the Senate will move its version of the bill. (Wilson)

THE WEEK IN REVIEW

Property Flipping: On March 27, the VA/HUD Subcommittee (Bond, Chair) of the Senate Appropriations Committee held a hearing on property flipping at the request of Ranking Minority Member Barbara Mikulski. The United States Attorney for the District of Maryland, Lynne Battaglia, and the Baltimore FBI Special Agent-in-Charge Richard Mosquera testified before the Subcommittee. (Scott-Finan)

Meeting with Chairman Hyde's Staff on Reentry: On March 24, representatives of the Office of the Associate Attorney General, the Office of Justice Programs and the Office of Legislative Affairs met with staff of Chairman Hyde concerning reentry of convicted offenders back into communities. (First)

Civil Asset Forfeiture: On March 23, the Senate Judiciary Committee approved H.R. 1658, as modified by agreement between Chairman Hyde, Representative Conyers, Chairman Hatch, Senators Sessions, Schumer and Leahy and the Attorney General. It is expected that floor consideration will come very soon and that the Senate may pass the bill by unanimous consent. (Daley)

Indians: Following a hearing on February 23, on the President's budget request for Indian programs for FY 2001, Senator Campbell forwarded the Department's supplemental questions regarding various issues of concern in the American Indian community. The Department is in the process of finalizing its response to the Committee's questions. (Ho)

VAWA Reauthorization: Staff from the Office of Legislative Affairs and the Violence Against Women's Office met with Representative Tammy Baldwin on March 23 to discuss VAWA reauthorization. Representative Baldwin has expressed interest in being the lead on this issue in

the House Judiciary Committee. Members of Representatives Conyers' and Morella's staffs attended as well. (FDU)

CRIPA: On March 23, Department representatives met with Senator Bayh's Chief of Staff and Governor O'Bannon of Indiana to discuss the status of the Civil Rights Division's investigations of two state development centers located in Indiana pursuant to the Civil Rights of Institutionalized Persons Act. (Ho)

INS Restructuring: On March 22, the House Immigration Subcommittee (Lamar Smith, Chair) passed H.R. 3918, which is identical to the Rogers/Smith/Reyes bill introduced last year to split INS into a Bureau of Enforcement and a Bureau of Services, with no senior official to coordinate the Bureaus. The Department opposes this approach. A views letter on this bill is circulating. (First)

Senses of the Senate on Firearms Issues: The Senate Budget Committee (Domenici, Chair) postponed the scheduled March 22 markup of the budget resolution for FY 2001. We anticipate that Minority Senators will offer senses of the Senate Resolutions concerning firearms issues, either in Committee consideration or on the floor, such as urging completion of the Conference on juvenile justice and guns bill by April 20, and supporting the Administration's budget request for firearms enforcement funds. (Graupensperger)

Black Farmers: Representatives from the Office of Legislative Affairs, the Civil Division, and the General Counsel's Office of the Department of Agriculture met with Senator Blanche Lincoln on March 22, to discuss the consent decree and the delays in payment of claims to black farmers in Arkansas. (Ho) (Wilson)

Antitrust: On March 22, the Antitrust Division's Deputy Assistant Attorney General John Nannes testified before the House Judiciary Committee on Chairman Hyde's legislation to repeal the antitrust exemption for ocean carriers. Later in the day, Assistant Attorney General Joel Klein testified before the Business Rights and Competition Subcommittee (DeWine, Chair) of the Senate Judiciary Committee, at an oversight hearing on antitrust enforcement.

On March 22, the House Judiciary Committee (Hyde, Chair) postponed further consideration of H.R. 1304, legislation to create antitrust immunity for health care professionals to negotiate collectively with health plans. (Slower)

Meeting with Congressman Weiner on DNA Issues: On March 22, representatives of the Office of Justice Programs and the Office of Legislative Affairs met with Congressman Weiner (D-NY) concerning allocation of FY 2000 funds to states for DNA sample collection and processing. (Graupensperger)

Superfund: On March 21, the Superfund, Waste Control and Risk Assessment Subcommittee (Chafee, Chair) of the Senate Environment and Public Works Committee, held a hearing on the current status of cleanup activities under the Superfund Program. Environment and Natural Resources Division's Assistant Attorney General Lois Schiffer testified before the Subcommittee. (Bulmer)

Introduction of Firearms Bills: On March 21, Congresswoman Carolyn McCarthy (D-NY), Congressman John Conyers (D-MI) and Senator Charles Schumer (D-NY) introduced a comprehensive firearms enforcement bill, entitled "Effective National Firearms Objectives for Responsible Commonsense Enforcement Act (ENFORCE)." On March 22, Congressman Bill McCollum (R-FL) introduced the "Project Exile: The Safe Streets and Neighborhoods Act of 2000." (1)